

Alliance Point 5: Ensure that fugitives are expeditiously and with due legal process, brought to justice and are unable to evade justice in one of our countries y fleeing to or remaining in the other. To this end, we agree to negotiate a protocol to the extradition treaty that, consistent with the legal system in each country, will allow, under appropriate circumstances and conditions, individuals to be tried in both countries prior to the completion of their sentences in either country.

ACTION	BASELINE As of 1 Feb 98	TARGET	MEASUREMENT	STATUS As of 31 Aug 99
<p>5.1. The Governments of Mexico and the United States will make effective use of existing extradition procedures.</p>	<p>The existing extradition procedures are functional, with mutual need for improvement in expediting provisional arrests and the submission of formal extradition packages.</p> <p>Formal requests for extradition are submitted 1 to 2 days before deadline for submission of documents under the Treaty.</p> <p>At times, a potential fugitive from Mexico is located in the United States when there is no provisional arrest request filed. Submission of a request may take 4-10 days.</p>	<p>Improved use of extradition procedures.</p> <p>Formal requests for extradition to be submitted 7 to 10 days before deadline for submission of documents under the Treaty.</p> <p>Reduce the maximum time between location of a potential fugitive and submission of a request for a provisional arrest.</p>	<p>Effectiveness of existing extradition procedures.</p> <ul style="list-style-type: none"> -Review of legal requirements -Analysis of the effectiveness of the bilateral treaty. -Quality and timeliness of the exchanged elements for extradition and provisional arrest. -Number of individuals extradited -Number of individuals arrested for extradition. <p>Evaluation of the extradition procedures.</p>	<p>Extraditions (persons delivered)</p> <p>U.S. to Mex: 16 Mex to U.S.: 14</p> <p>A more flexible system has been established by placing responsibility for providing information about the location of requested individuals.</p>

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5.2. The Governments of Mexico and the United States will maintain an ongoing program to exchange information on rules applicable to extradition cases in both countries.	Information is exchanged based on consultations regarding specific cases.	Establishing a permanent information exchange program on the applicable rules for extradition in each country, including pertinent judicial decisions, legislation, and regulations.	<p>Existence of the program and identification of its requirements and the obstacles to its implementation.</p> <p>Timeliness, effectiveness, and efficiency of information exchanges regarding rules applicable to extradition cases.</p> <p>Usefulness of the information exchange program and the intensification in locating fugitives, their apprehensions, processing, extradition, or deportation.</p>	<p>The Attorneys General of Mexico and the U.S., through the Brownsville, Texas Letter, and the Mérida, Yucatán MOU, agreed to initiate joint training programs between federal law enforcement agencies. As a result, the Binational Seminars in Columbia, South Carolina (Nov. 1998) and Mexico City (Jun 99) were held, covering issues on extradition and Article 4 in Mexico.</p> <p>During July 1999, two coordination and information meetings were held in Washington D.C. and Mexico, in order to exchange information on standards of proof required by both countries.</p> <p>Frequency of contact and consultation on priorities has increased, making for clearer understanding of the situation in each country.</p> <p>Three Fugitive Group meetings were held (August 1998, April and October 1999); one fugitive task force meeting was held in July 1999, two High Level Contact Group were held (April</p>
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5.2. (Con't)				and December 1998); and four Senior Law Enforcement Plenary group meetings were held (March and August 1998, May and October 1999). At these meetings there was an exchange of information about applicable laws and procedures for extradition. Furthermore, frequent operational-level meetings were held.
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5.3. The Governments of Mexico and the United States will continue and increase the frequency of consultations on the status of priority extradition cases and on the legal requirements and evidence needed to ensure provisional arrest and extradition.	There is a constant exchange of information on priority extradition cases.	<p>Increase the frequency of formal consultations about the status of priority extradition cases and the legal requirements for evidence to ensure provisional arrest and extradition (3 or 4 times per year).</p> <p>Continued informal consultations whenever necessary.</p>	<p>Increased consultations about priority cases.</p> <p>Timeliness and regularity of the consultation.</p> <p>Relationship between consultations on priority cases and improvements in extradition processes.</p>	<p>With the development of bilateral consultations mechanisms such as the High Level Contact Group, Law Enforcement Plenary, Fugitive Group and others, consultations on specific cases are held.</p> <p>Informal consultations are held through PGR offices in the U.S. and through the Legal Attaché at the U.S. Embassy in Mexico.</p> <p>U.S.-Mexico task force on fugitive matters consulted extensively in July 1999.</p>

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5.4. The Governments of Mexico and the United States will fully implement the Fugitive Identification Alert Program recently established between the immigration authorities to facilitate the expulsion/deportation of citizens who fled the other country for immigration violations.	<p>When legally possible, deportation is used on a case by case basis to avoid impunity.</p> <p>Work is taking place between U.S. and Mexican authorities on the implementation of a system to identify and locate fugitives.</p>	Implementation of a Fugitive Identification and Alert Program among immigration authorities.	<p>Obstacles to and needs of the development of the Fugitive Identification and Alert Program, together with its practical usefulness.</p> <p>Coordination among the agencies responsible for locating fugitives.</p> <p>Efficiency in the systems adopted to identify and locate information on fugitives.</p> <p>Quality, usefulness and timeliness of the exchanged information.</p> <p>Relationship between the Fugitive Identification and Alert Program, expulsions and deportations.</p>	U.S. and Mexican experts on fugitive identification met twice in Mexico City and in addition discussed the issue during the U.S. Mexico fugitive task force meeting in July 1999. As a result of these meetings, notification procedures and points of contact are being developed.
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5.5. The Governments of Mexico and the United States will promote before their respective legislatures the quick ratification of the protocol to the existing Extradition Treaty signed by the Attorneys General on November 31, 1997.	Neither of the two countries have ratified the Protocol as of 2/98.	Entry into force of the Protocol to the existing Extradition Treaty.	Progress in ratifying the Protocol to the Extradition Treaty. Effectiveness and efficiency in implementing the temporary extradition process.	Mexico – presentation before the Senate of the Republic is pending. U.S. – Protocol to the Extradition Treaty already ratified.
5.6. The Governments of Mexico and the United States will continue the bilateral consultative mechanism regarding extradition in potentially exceptional cases.	There is a constant exchange of information of priority extradition cases.	Strengthening the bilateral mechanism for consultations related to the extradition in potentially exceptional cases.	Increased consultations about priority cases.	The initial phase of the bilateral prioritization program was completed Aug 15, 1999. Both countries agreed on the number of persons who had been extradited by October 10, 1999. Internal review of initial lists (agreed upon bilaterally) will be completed by October 31, 1999. (See 5.2. & 5.3.)